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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,371	09/18/2003	Hee Kyung Lee	51876P389	8435
8791	7590	09/19/2007		
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER LUONG, ALAN H	
			ART UNIT 2609	PAPER NUMBER
			MAIL DATE 09/19/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/666,371		LEE ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	ALAN LUONG		2609	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Boston et al. (US 7212730 B2).

Regarding to **claim 1**: Boston discloses a personal channel service providing method for outputting a television (TV) program preferred by a user, which is referred to as a preferred program, through a personal channel of a personal digital recorder (PDR) in a time duration preferred by the user, which is referred to as a preferred duration, the method comprising the steps of:

(a) receiving content description data and instance description data of a program to be broadcasted through a TV network (col. 5, lines 3-9 and col. 7, lines 25-31 and Fig. 1) and

b) determining the preferred duration and the preferred program in the preferred duration based on usage history of the PDR, and updating the instance description data to include the preferred duration and the preferred program; ( col. 5, lines 50-67 and col.6, lines 1-54)

c) generating an electronic program guide (EPG) for informing the user that the preferred program is outputted on the personal channel in the preferred duration based on the updated instance description data (col 13, lines 31 –58 and Fig.14); and

(d) outputting the EPG to the PDR. (col. 14 lines 12-24 and Fig.15)).

Regarding to **claim 2**. Boston discloses the method as recited in claim 1, wherein the step b) includes the steps of:

e) selecting the preferred duration, such as day and time, genre preferred in the preferred duration, which is referred to as a preferred genre and a predetermined number of preferred program titles based on the usage history of the PDR, and generating user preference data to include the preferred duration, the preferred genre, and the preferred program titles; ( col. 6, lines 4-54 and Fig. 4 )

f) if the preferred duration is for watching a program stored in the PDR, extracting group information of a program title that belong to the preferred genre among the preferred program titles based on the content description data (col. 6, lines 38-54 and Fig.5); and

g) determining a program following a most recently watched program among the programs that belong to the group as the preferred program in the preferred duration.( col. 12 lines 4-67 and col. 13, lines 1-13, and Fig.12 and 13)

Regarding to **claim 3**: Boston discloses the method as recited in claim 2, wherein the preferred duration, such as day and time, is selected based on total duration of programs outputted by the PDR in a particular time duration. (col. 12 lines 33-67 and col. 13 lines 1-16 and Fig.13)

Regarding to **claim 4**: Boston discloses the method as recited in claim 2, wherein a genre of a program that occupies the longest duration among the programs outputted by the PDR in the preferred duration is selected as the preferred genre. (col. 6 lines 20-38 and lines 44-54 and Fig. 4 )

Regarding to **claim 5**: Boston discloses the method as recited in claim 2, wherein the preferred program titles are selected based on the program duration

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outputted by the PDR, the EPG, and a frequency of program information exposure.(col.16 lines 40-52).

Regarding to **claim 6**: Boston discloses the method as recited in claim 1, wherein the step b) includes the steps of:

h) selecting the preferred duration, such as day and time, preferred genre in the preferred duration, and a predetermined number of preferred program titles based on the usage history of the PDR, and generating user preference data to include the preferred duration, the preferred genre, and the preferred program titles;(col. 6 lines 39-54 and Fig. 5)

i) if the preferred duration is for watching a program broadcasted in real-time, extracting a list of real-time broadcasting programs from the instance description data ( col.15 lines 3-36 and Fig. 17); and

j) determining a program that belongs to the preferred genre among the programs on the list as the preferred program in the preferred duration.( col. 12 lines 33-67 and col.13 lines 1-17; Fig.13)

Regarding to **claim 7**. Boston discloses the method as recited in claim 6, wherein the preferred duration, such as day and time, is selected based on total duration of programs outputted by the PDR in a particular time duration.(col. 15 lines 11-36 and Fig.12)

Regarding to **claim 8**. Boston discloses the method as recited in claim 6, wherein a genre of a program that occupies the longest duration among the programs

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outputted by the PDR in the preferred duration is selected as the preferred genre.( col. 16 lines 35-63)

Regarding to **claim 9**. Boston discloses the method as recited in claim 6, wherein the preferred program titles are selected based on the duration of programs outputted by the PDR, the EPG, and a frequency of program information exposure. (col. 15 line 36-63 and col.16, lines 53- 62 and Fig.19))

**Claims 10-18** are rejected under 35 U.S.C. 102(e) as being anticipated by Gogoi et al.(US 2002/0199193 A1).

Regarding to **claim 10**: Gogoi discloses a personal channel service providing apparatus for outputting a TV program preferred by a user, which is referred to as a preferred program, through a personal channel in a time duration preferred by the user, which is referred to as a preferred duration, the apparatus comprising:

a memory portion for storing a control program; ( as PDM block 14 in Fig. 1 - see para.[0049] lines 22-35)

a database for storing instance description data, usage history of the personal channel service providing apparatus; ( as PDE block 15 in Fig. 1-see para.[0049] lines 25-35 )

a display portion for outputting an EPG; (block 11 in Fig.1 and para.[0049] lines 12-14); and

a processing portion for updating the instance description data based on the user preference data and generating an EPG which informs the user that the preferred

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program is outputted through the personal channel in the preferred duration based on the updated instance description data, the processing portion being connected to the memory portion, the database, and the display portion. ( para.[0049] and Fig. 1 and 2)

Regarding to **claim 11**: Gogoi discloses the apparatus as recited in claim 10, wherein the processing block further performs the steps of:

selecting the preferred duration, such as day and time, preferred genre in the preferred duration, and a predetermined number of preferred program titles based on the usage history of the personal channel service providing apparatus generating the user preference data to include the preferred duration, the preferred genre, and the preferred program titles; (para.[0100] to [0127] and Fig. 4-17)

if the preferred duration is for watching a program stored in the personal channel service providing apparatus, extracting group information of the program title that belongs to the preferred genre among the preferred program titles from the content description data; and (para.[0161] to [0167] and Fig. 4-17)

determining a program following a most recently watched program among the programs belonging to the group as the preferred program in the preferred duration. (One-Available-Program-Duration-per-session OAPDPS- para.[0165] to [0167] and Fig. 4-17)



Regarding to **claim 12**: Gogoi discloses the apparatus as recited in claim ii, wherein the preferred duration, such as day and time, is selected based on total duration of programs outputted by the personal channel service providing apparatus in a particular time duration. (para. [0101] to [0102])

Regarding to **claim 13**: Gogoi discloses the apparatus as recited in claim ii, wherein a genre of a program that occupies the longest duration among the programs outputted by the personal channel service providing apparatus in the preferred duration is selected as the preferred genre. . (para. [0103] to [0126])

Regarding to **claim 14**: Gogoi discloses the apparatus as recited in claim ii, wherein the preferred program titles are selected based on program duration outputted by the personal channel service providing apparatus, the EPG, and a frequency of program information . (para. [0089] to [0101])

Regarding to **claim 15**: Gogoi discloses the apparatus as recited in claim 10, wherein the processing block further performs the steps of:

selecting the preferred duration, such as day and time, preferred genre in the preferred duration, and a predetermined number of preferred program titles based on the usage history of the personal channel service providing apparatus, and generating user preference data to include the preferred duration, the preferred genre, and the preferred program titles;

if the preferred duration is for watching a program broadcasted in real-time, extracting a list of real-time broadcasting programs from the instance description data; and

determining a program that belongs to the preferred genre among the programs in the list as the preferred program in the preferred duration. (para. [0070] to [0078] and Fig. 4-17)

Regarding to **claim 16**: Gogoi discloses the apparatus as recited in claim 15, wherein the preferred duration, such as day and time, are selected based on a total duration of programs outputted by the personal channel service providing apparatus in a particular time duration. (para. [0101] to [0102])

Regarding to **claim 17**: Gogoi discloses the apparatus as recited in claim 15, wherein a genre of a program that occupies the longest duration among the programs outputted by the personal channel service providing apparatus in the preferred duration is selected as the preferred genre. (para. [0103] to [0126])

Regarding to **claim 18**: Gogoi discloses the apparatus as recited in claim 15, wherein the preferred program titles are selected based on the duration of programs outputted by the personal channel service providing apparatus, the EPG, and a frequency of program information exposure. (para. [0089] to [0101])

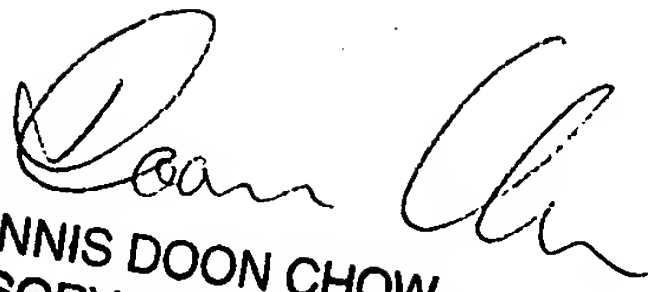
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAN LUONG whose telephone number is (571) 270-5091. The examiner can normally be reached on Mon.-Thurs., 8:00am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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SUPERVISORY PATENT EXAMINER